

Form PTO 1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER B45313
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/523,044</b>
INTERNATIONAL APPLICATION NO. PCT/EP2003/008568	INTERNATIONAL FILING DATE 31 July 2003	PRIORITY DATE CLAIMED 02 August 2002
TITLE OF INVENTION VACCINE COMPOSITIONS COMPRISING L2 AND/OR L3 IMMUNOTYPE LIPOPOLYSACCHARIDES FROM LGTB- NEISSERIA MINIGITIDIS		
APPLICANT(S) FOR DO/EO/US Ralph BIEMANS, Philippe DENOEL, Christiane FERON, Carine GORAJ, Jan POOLMAN, Vincent WEYNANTS		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

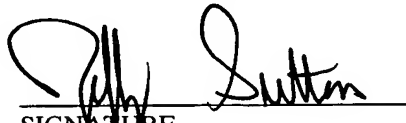
11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment. (Add claim to priority via Preliminary Amendment).
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ An Abstract on a separate sheet of paper.
18. ☒ Copy of Form PCT/DO/EO/905.
19. ☒ Other items or information: Power of Attorney and Correspondence Address Indication Form, Statement Under 37 CFR 3.73(b), copy of Assignment, Sequence Listing, Statement to Support, Diskette

US APPLICATION NO. (if known see 37 CFR 1.50) <b>10/523,044</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/008568</b>		ATTORNEYS DOCKET NO. <b>B45313</b>	
20. <input type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS PTO USE ONLY</b>	
<input type="checkbox"/> one month extension.....		\$ 110			
<input type="checkbox"/> two months extension.....		\$ 430			
<input type="checkbox"/> three months extension.....		\$ 980			
<input type="checkbox"/> four months extension (not beyond statutory time period).....		\$1,530			
<input type="checkbox"/> fifth month extension.....		\$2,080			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$0.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$130.00</b>	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$50.00	<b>\$0.00</b>	
Independent claims	- 3 =	0	0 x \$200.00	<b>\$0.00</b>	
Multiple dependent claims (if applicable)			+ \$300.00	<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$130.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				<b>\$</b>	
<b>SUBTOTAL =</b>				<b>\$130.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				<b>\$</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$130.00</b>	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$130.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**  
**GLAXOSMITHKLINE**  
 Corporate Intellectual Property - UW2220  
 P.O. Box 1539  
 King of Prussia, PA 19406-0939  
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 Facsimile (610) 270-5090

  
 SIGNATURE  
 Jeffrey A. Sutton  
 NAME  
 34,028  
 REGISTRATION NO.

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07/19/2005 GFREY1 00000081 192570 10523044  
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TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE  
(DO/EO/US) – CONCERNING A FILING UNDER 35 U.S.C 371

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INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP2003/008568	31 July 2003	02 August 2002

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TITLE OF INVENTION  
VACCINE COMPOSITIONS COMPRISING L2 AND/OR L3 IMMUNOTYPE  
LIPOPOLYSACCHARIDES FROM LGTB- NEISSERIA MINIGITIDIS

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APPLICANT(S) FOR DO/US

Ralph BIEMANS, Philippe DENOEL, Christiane FERON, Carine GORAJ, Jan POOLMAN,  
Vincent WEYNANTS

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Commissioner for Patents  
Mail Stop: PCT  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: DO/US

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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date July 14, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV453421598US addressed to the: Commissioner for Patents, Mail Stop: PCT, P.O. Box 1450, Alexandria, Va 22313-1450.

Lonnie Myers

(Typed or printed name of person mailing paper)

Lonnie Myers

(Signature of person mailing paper)

20462

CUSTOMER NUMBER

Rec'd PCPTO

14 JUL 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/523,044

FIRST NAMED APPLICANT

Ralph Biemans

ATTY. DOCKET NO.

B45313

INTERNATIONAL APPLICATION NO.

PCT/EP03/08568

I.A. FILING DATE

07/31/2003

PRIORITY DATE

08/02/2002

20462

SMITHKLINE BEECHAM CORPORATION  
 CORPORATE INTELLECTUAL PROPERTY-US, UW2220  
 P. O. BOX 1539  
 KING OF PRUSSIA, PA 19406-0939

CONFIRMATION NO. 7576

371 FORMALITIES LETTER

\*OC000000016277767\*

\*OC000000016277767\*

Date Mailed: 06/16/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/02/2005
- Copy of the International Search Report filed on 02/02/2005
- Preliminary Amendments filed on 02/02/2005
- Information Disclosure Statements filed on 02/02/2005
- Request for Immediate Examination filed on 02/02/2005
- U.S. Basic National Fees filed on 02/02/2005
- Priority Documents filed on 02/02/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,044	PCT/EP03/08568	B45313